G. R. S. 58]

Previous references.

Leg 32-14, 3-15

1913.14

(Legis)

Later references.

File No. 32-13

Serial Nos. 1-8

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-8

Part B for May 1915

SUBJECT.

Amendment of the Mysore Mines Regulations re. enhancing the punishment under section 19 & certain cases triable summarily

---

8. From the S. P. of Police
No. 2651 of 12/1/14.
283
Forwards the statement called for in Sl 3

Thomas

21. 6. 15.

G.R.S. 11

1913-14

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

File No. 32-13

FILE HEADING.

Amendment of the Mysore Mines Regn re enhancing the punishment under sec: 19 and making offences under sec: 6 of the Mines Regn, in certain cases triable summarily.

From

No. Dated Received

Diary No. Enclos. Spare Copies. Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

S.T.O.

NOTES—First Sheet.

GPH—30,000—27-6-11

(2 Pld 34

G. R.-S. 12]

General and Revenue Secretariat.

32 of 1913-14

Legis File No. ~~13~~ of ~~1911-12~~

Serial No. 1

No 57/12 dated 3rd July 1913 from the I.G. of Police

Proposes that sec: 19 of the Mines Regn be amended so as to raise the maximum punishment from 3 months to one year's rigorous imprisonment: and that offences under sec: 6 of the Regn ~~be no~~ where the subject-matter does not exceed Rs 50/- be made triable summarily.

Subd.

The I.G. of Police in forwarding the report on the working of the Mines Regn during 1911-12 recommended that the offences under sec: 6 of the Regn in which the subject-matter did not exceed Rs 50/- in value be tried summarily and the Dt Magistrate Kolar Dt, had further asked for the amendment of sec: 19 of the Regn so as to enhance the maximum punishment that could be awarded under that section Govt G.O. No J 2281-9.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

Serial No.

dated 7th Febr: 1913 while reviewing the Report it was remarked that these suggestions should form the subject of a separate communication accordingly the proposals have now been repeated

The proposal regarding enhancement of sentence under sec: 19 was considered and dropped at the time of drafting the present amending Bill recently introduced into the Legis. council.

As regards making the petty offences under sec 6 triable summarily, the proposal if adopted would perhaps necessitate amending sec 260 of the criminal Pro. code, 1904 as all the cases or classes of cases which may be so tried are enumerated there.

(58) SN
15/7/13 16/7

Please see pages 19 and 24 of the notes of this file

GPB—65,000—17-6-12.

~~33~~ (4

330

F. R. S. 12]

General and Revenue Secretariat.

32 of 1913-14

Legis File No. ~~13 of 1911-12~~

Serial No.

82 No 33 dated 30th July 1913
from the Dt Magistrate, Kolar Dt,
forwards certain modified proposals
re summary trials in cases under
sec: 6 of the Mysore Mines Regn
~~61~~ 2 Submitted

The Dt Magistrate proposes
that only petty cases of unlawful
possession of mining material
including gold sand obtained
from mallas be ~~permitted~~ made
triable summarily but that
cases of thefts of gold quartz,
amalgam, sponge gold and
bar gold, be tried only regularly
as at present ~~even~~ irrespective
of the value of the material ~~stolen~~

~~CL~~ (58) SW
1/8/13

3 ~~61~~ Please call for a
Copy of the Dt Magts letter
dt 2-4-1913

SW 4/8
~~16~~ Submitted with a draft- docket-
as ordered

SPR 378

~~CL~~ SPR
4/8/13 MK

567 Issue

SPR
12/8

SW
20/8

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

32 S/1913-14 (5)

~~1911-12~~

Legis File No. ~~13~~ ~~of 1912-13~~

Serial No.	
3 ~~2~~	No J 574 dated 15/9/13 to the Dt. Magistrate Kolar &c. Calling for a copy of letter No 642 dated 2/4/13 from the Dt. Magistrate Kolar &c. referred to in S.C.P.
4 ~~0~~	No 71 dated 23rd Aug: 1913 from the Dt. Magistrate Kolar &c. Submits a copy of his letter No 642 dated 2/4/13 to the I.G. of Police in the matter of ammending the Mysore Mines Regn, 1906.
6	Submitted. The present bill to amend the Mysore Mines Regn will have to be read in the Legis Cl on 15/9/13 and referred to a Select committee if so decided.
	(S) NM 2/9/13
	~~6~~ The I.G. of Police & the D.C. Kolar suggest two Amendments of the Mines Regn:— (1) that the penalty provided in Section 19 viz — fine of Rs 100 or imprisonment for a term not exceeding three months — should be increased to imprisonment for one year

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

Serial No.

4(2) that provision be made in the Regn for the summary trial of all cases of unlawful possession of mining material when the value of the property does not exceed Rs 50, except in cases of thefts of gold quartz, amalgam, sponge gold & bar gold.

8 ~~10~~ The first point was already before Govt and it was decided that no case for increase of penalty for disobedience of orders to quit has was made out (vide Subm^n note to H.E. dy 20-10-12). The I.G. now states that the effect of the punishment is not sufficiently deterrant and adds that many persons convicted several times are brought up again & again. He does not give any statistics & he may be requested to furnish infor^n as to the number of cases in which the maximum penalty was awarded & the number of persons convicted more than once, before final orders are passed.

Page 25 of the notes

9 ~~11~~ The second point raised by the I.G. is new & is not free from difficulties If the proposal

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

Legis File No. ~~13 of 1911-12~~ 32 of 1913-14

Serial No.

is to be accepted, it involves the amendment of the ~~Criminal~~ Cr. Pro. Code, because the proposed provision ~~will~~ should appropriately be inserted in the Cr. P.C. & not in the Mines Regn. Again the ~~Mn~~ Dt. Magte proposes to try only petty cases of possn of mining material, excluding cases of thefts of gold amalgam etc, by summary trial. What the number of ~~such cases~~ the former class of cases would be on the average per year is not stated. The ~~Dt~~ Dy Comr may be requested to furnish more detailed information on this point also

Not cases for ~~of~~ Married

Dy Secy) SPR 2/9

10 ~~72~~. A draft calling for the further information may be put up.

Draft 5/9 SPR

~~73~~. 11 Subd. with a draft as ordered

(58) 5/9/13

~~75~~ 13 ~~74~~ 12 Dy Secy) SPR 5/9

May go up with a fair draft to the 1st Commissioner Draft 6/9.

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

Legis File No. 32 of 1913-14 ~~13 of 1911-12~~

Serial No.

~~76~~ 14
Submitted with a fair draft

(58) MM
6/9/13

15
~~77~~. Dr Secy) SDR
1st Councillor) 6/9
Dy Secy 8/9

~~78~~ 16 I do not see much objn to Summary trials. I am however still of opinion that the punishment need not be increased.

A ~~stt~~ of no of cases may be obtained as ~~in~~ indicated in the Note given above

The Chief Ct's opinion... should be taken about the necessity of summary power.

9/9/13

2
9/9

17 79. Revised draft as per para 34

18
80. SDR 9/9
Subd with a revised draft-C to the ~~Inspector Kolar~~ I.G. of Police and to the Registrar Chief Court

(GB) 19
~~81~~. Revised drafts as instructed
6/10

SDR
6/10

NOTE—Contn. sheet.

GPS—65,000—17-8-12.

Serial No.	
	20 Revised drafts put up (48) 6/10/13
	21 Issue. 6/10
5	No J 115-8 dated 6/10/13 to the I. G. of Police. Requests him to forward a statement shewing the number of cases filed during the last 5 years under sections 17 and 18 of the Mines Regn, and the ~~number~~ number of cases in which the maximum penalty prescribed in sec: 19 was awarded and the number of persons convicted more than once
6	No J 115-9 dated 6/10/13 to the Registrar, chief Court of Mysore Requests him to obtain the opinion of the Judges of the chief court on the question of the desirability of making the offences under sec: 6 (theft of and unlawful possession of mining materil other than gold quartz, amalgam, sponge and var gold) triable summarily
7	No 1771/147 dated 31/10/13 from the Registrar, chief Court.

NOTE—Contn. sheet.

GPB—65,000—17-8-12.

R. S. 12]

General and Revenue Secretariat.

32 1366 of 1913-14

Legis File No. ~~13~~ of 1911-12

Serial No.

Informs that the chief Court consider it desirable to prescribe a summary trial in cases of theft of mining material (not being gold quartz, amalgam sponge or bar gold).

22 Submitted

The I.Gl. of Police has been asked to state the number of cases filed during the past 5 years under secs: 17 and 18 of the Mines Regn, and the number of cases in which the maximum punishment was awarded and the number of persons convicted more than once. This information was asked for in connection with his other proposal for the amendment of the Mines Regn viz to raise the maximum punishment prescribed in sec: 19 for these offences from three months to one year rigorous imprisonment. May the reply from the I.Gl. of Police be awaited.

18/11/13 23/11, + a fortnight.

24 Submitted

A reply from the I.G. of Police has

NOTE—Contn. sheet.

G I P—65,000—17-6-12.

General and Revenue Secretariat. Legis File No. 32 of 1913-14

Serial No.	
	not been received yet. May a reminder be sent to him. A draft reminder is put up. 6/12/13
	25 Issue 10/12
15/12	
Remr	No J 1741 dt 12/12/13 to the I. Gl. of Police. Requests him to obtain an expedite the statement called for in No J 1158 dt 6/10/13.
8	No 2651/283 dated 12/1/14 from the I. Gl. of Police. Forwards the statement called for in 8/s submitted for orders. The information was called for by the 1st committee (vide para 16 of the notes sub. para 2.)
Page 8 of the notes.	27 The statistics furnished by the Inspector General of Police do not seem to support the proposal of enhancing the penalty under Sec. 19 of the Regn. Out of 150 cases under Sec. 17 + 18 only in 35 cases was the maximum penalty awarded;

NOTE—Contn. sheet.

General and Revenue Secretariat.

Legis File No. 32 of 1913-14

Serial No.

the number of persons convicted more than once is 32. The maximum penalty may be imposed more often if still the punishment is not deterrant, the question may be considered again.

28 The Chief Court also are are agreeable to the proposal to by certain minor offences referred to by the I.G. of Police, summarily. If Subject to approval, this amendment also of Sec. 260 of the Cr. Pro. Code has with been inserted in the bill put up in the linked file (Legis 25 of 13).

29 Dy Secy).

30 1st consider) SOL 23/ Dy Secy 6/1

31. Extracts from note in Legis 25-13 12. subd. with the draft of a bill and Statement of objects and reasons. The bill also includes, subject to approval the proposal discussed in the linked file about the Summary trial of certain classes of offences under sec. 6 of the Mines Regn, which has been approved by the

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat. | Legis | File No. 32 of 1913-14

Serial No.

1st cr and the chief Comr. It is considered more appropriate to embody this proposal in an amendment of sec: 260 of the criminal Pro. code than to amend the Mines Regn itself as suggested by the Dy comm= Kolar

Dy Secy) Intd S.P.R. 24/1

33

13 After correction and approval by the 1st councillor, the drafts will be caused to be typed

1st councillor) (Sd) S.M. Narasinga Rao

14. I have allied the clause about the 26/1/14
Mining Regn offence. Please consult Geolo. Secretary as to whether the Phrase "gold in any form, gold quartz or gold amalgam" (compared with the Defn of "mining material" in the Regn) expresses fully all that is intended to be excluded

Intd. H.V.N. 29/1/14

(Type corrected drafts)

35

16. Drafts to be typed first and then submit Intd. S.P.R. 30/1

36

17. Typed drafts is put up and the file submitted as ordered

(Sd) (G8) 6/2/14 (Sd) H.V.N.

NOTE—Contn. sheet.

GPB—25,000—2-11-14

General and Revenue Secretariat. | Legis File No. 32 of 1913-14

Serial No. 37

18. Forwarded unofficially to the Secretary to Govt. Geological Deptt for favour of opinion on the point raised by the 1st member of council

By order
(Sd) S.P. Rajagopalachari
for Secy to Govt
G. & R. Deptts
6/2/14

U.O. No G 33-13
& 7/2/14
with Legis 32-13

38

19. I am of opinion that the wording of the clause is too comprehensive and that it would exclude a large number of really petty cases ~~to~~ which take up the magistrates time "Gold in any form" would include that contained in tailings, concentrates precipitates &c and is too sweeping Likewise "Gold quartz" embraces material which usually contains inconsiderable quantities of gold.

39 If I may venture to say so I do not see any real necessity for the special ~~exept~~ exclusion of cases involving gold on the score of their importance or heinousness. It is of course desirable to stop the illicit traffic as far as

U.O. No Geol. 13
& 7/2/14

NOTE—Contn. sheet.

GPB—25,000—2-11-14

Serial No.

possible but if the penalty in case of summary conviction can be as heavy as in cases of regular trial there is no advantage gained for the extra expenditure of time. If the material is valuable i.e. more than Rs 50/- the case must be tried regularly and further there is the discretion of the magistrate in the other cases as to whether they are of sufficient importance to warrant regular trial

40 20. The proposal to exclude gold cases came from the Dt. Magistrate on the score of their importance but no reason is given as to why they are especially important. It is true that the cases are numerous and that for each detection the remedy for this is ~~increased~~ increased penalties

41 21. There may be considered that such cases are important because of technical difficulties and on this score I would agree to exclude cases relating to the matter contentious question of "unwrought gold".

NOTE—Contn. sheet.

GPB—25,000—2-11-14

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 32 of 191 3-14

Serial No.

4 I would even be prepared to add "gold amalgam" and "sponge gold" but this is the limit to which I would apply any special restriction. For reasons already stated I would most certainly omit "gold in any form" and "gold quartz".

22. I beg to suggest therefore that in the proposed clause the words between "relating to" and "where" be omitted and either of the following substituted

(1) "unwrought gold" or

(2) "gold amalgam, sponge gold or unwrought gold"

to the General Secy with compts.

(Sd) W. F. Smeeth
Secy to Govt., Geological Dept.
12/2/14
al Camp - Lakkavalli

46.

23. Submitted
(Sd) S. V. S. (48)
17/2/14 Sd S. V. S.

Dy Secy) Sd S. V. R. 17/2

First Member) 24 (Sd) D. M. Narasimha Rao 18/2

45.

25. Mr Smeeth's suggestion may be accepted. I have altered the draft. Please circulate for council.

(Sd) N. V. K.
20/2/14

NOTE—Contn. sheet.

GPB—25,000—2-11-14

G. R. S. 12]

General and Revenue Secretariat. | Legs File No. 32 of 1913-14

Serial No.

2nd member & Extraordinary member) (Initd.) S.P.R. 24/2

46
26. (Initd.) M.K.R. 26/2

47
27 (Initd) K.R.W. 3/3/14

Dewan) (Sd) D.M. Narasinga Rao 4/3/14

48
28. I agree ~~as regards the amend~~

× × ×

49
29. Is it really necessary to provide for summary trial in the case of offences under the Mines Regn?

50
30) Please bring up at the next meeting of the council.

(Initd) M.V. 14/3/14

C. Secy.

51
31. circulate to members for perusal of Dewan's order and note for meeting.

(Initd) K.R.S. 13/3/14

52
32 Seen

(Initd) K.R.W. 15/3/14

53
33 Seen (Initd) M.K.R. 19/3/14

54 34 (Initd) H.V.N. 23/3

55
34 C. Secy. note for meeting (Initd) K.R.S. 24/3

NOTE—Contn. sheet.

GPB—25,000—2-11-14

General and Revenue Secretariat. | File No. of 191 .

Serial No.

Extract from the Proceedings of the 319th meeting of the Council of His Highness the Maharaja held at Bangalore on the 20th April 1914

3. Subject – (clause ii of the Schedule) Draft Bill amending sec: 260 of the Criminal Procedure code, 1904.

Opinion of the council.

36. The amendment of clause (i) of sub-section (1) of s

× × × ×

× × × ×

37 The council are of opinion that the proposed clause (2) may be dropped as no necessity is made out for the summary trial of the offence under section 6 of the Mysore Mines Regn, 1906, where the value of the mining material does not exceed fifty rupees, excepting those relating to unwrought gold, stone gold or gold amalgam.

(Sd) M. Visvesvaraya
Dewan of Mysore

"Extract"
(Sd) S. M. Narasinga Rao
Offg. Secretary to Govt.

NOTE—Contn. sheet.

GPB—25,000—2-11-14

General and Revenue Secretariat. | File No. | of 191

Serial No.

Submitted to His Highness

× × × ×
× × × ×

5) The Dt. Magistrate, Kolar Dt. (through the Inspector General of Police) suggested the desirability of amending the code of criminal Pro. 1904, so as to make offences under sec: 6 of the Mysore Mines Regn., 1906, not relating to unsorought gold or gold amalgum, where the value of the mining material does not exceed fifty rupees, triable in a summary way.

× × × ×

6 & 3. After a due consideration of the draft Bill prepared on the lines of these suggestions, the Council are of opinion that offences under sec: 45 3 and 454, I.P.C, may be made triable as a summary mannar as in British India, and that the other proposal viz, that about offences under sec: 6 of the Mysore Mines Regn., may be dropped as no necessity is proved to exist for the summary trial of this class of offences. In view of the exceptional character of the Mines

E—Contn. sheet.

GPB—25,000—2-11-14

G. R. S. 12]

92146-14

General and Revenue Secretariat.

Legis File No. 32 of 1913-14

Serial No.

Regulation which primarily throws the burden of proving innocence on the accused, a very much stronger case should be made out before the proposal can be entertained.

× × ×

(Sd) M. Visvesvaraya
25/5/14

Order
Secy.
Govt. K. R. W.
25/5/14

May 1914
B

NOTE—Contn. sheet.

GPB—25,000—2-11-14

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE.

No. 57/12 *Dated Bangalore,* 3rd July 1913.

FROM

C. Srikantesvara Aiyar Esq, B.A., B.L.,

Inspector-General of Police in Mysore.

DIARY No. J. 99
1913-1914
SECTION Legis. 15
FILE No. 12-13
SERIAL No. 7

To

K.R. Sreenivasiengar Esq, M.A.,

Secretary to the Government of H. H. the Maharaja of Mysore, General and Revenue Departments.

SIR,

Adverting to para 3 of Government Proceedings No.J.2281-9/Legis.15-12-2 dated the 7th February 1913, directing that separate communication may be made regarding the enhancement of punishment of unemployed persons ordered off the Gold Fields and permitting the summary trial of offences under Section 6 of the Mysore Mines Regulation, IV of 1906, I have the honor to state as follows:-

2. The importance and necessity of dealing effectively with the unemployed persons on the Mines have been recognized by Government, and certain amendments of Section 17 are already before the Legislative Department, but the penalty provided under Section 19 of the Regulation, for breach of the provisions thereof does not exceed a fine of Rs.100/- or three months' imprisonment of either description, or both. Experience of few years past has shown that this penalty is not sufficiently deterent, inasmuch as so many people, not only ordered off the Mine but also convicted several times and awarded the maximum punishment, are brought

191 —191

FROM

The Inspector-General of
Police in Mysore.

To

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Gen. & Rev. Depts.

Dated 3rd July 13

Despatched

Received

General No. 57/12

No.

Enclosure No.

Re: the Mysore Mines Regulation.

GPB—200—8-1-13

up before Magistrates again and again emphatically demonstrating how the temptations on the Fields to these people disregard the penalties prescribed by law are far greater, that they do not care risking being caught oftener and sent to prison anon. The District Magistrate of Kolar therefore suggests, and I concur, that the maximum punishment under this Section should be raised from three months to one year's rigorous imprisonment.

3. With regard to the trial of offences under Section 6, unlawful possession of Mining material, Section 13 of the said Regulation lays down that the penalty for offences under Sections 5, 6, 7, 11 or 12, shall be "fine not exceeding five hundred rupees, or imprisonment of either description for a term which may extend to one year or both". A large number of cases under Section 6, is, however, of a petty nature concerning mining property, the value whereof does not most times exceed few annas. The trying of all such cases regularly involves not only a lot of time but is not also commensurate with the importance of the cases themselves. The District Magistrate, therefore, suggests that provision may be made authorizing summary trials in all such 'petty cases' involving property, the value whereof does not exceed Rs.50/-, similar to the provisions contained in Section 260 of the Criminal Procedure Code. I submit that it would be in the interests of the speedy disposal of such cases if the Magistrate were empowered to try them summarily.

I have the honor to be,

Sir,

Your most obedient servant,

Sd/- [illegible]

Inspector General of Police.

MZ

III
31/7/1913

From

The District Magistrate,
Kolar District.

To

The Secretary to the Government
of H.H. the Maharaja of
Mysore, Gen & Rev. Depts.,
B a n g a l o r e.

Dated 30th July 1913.

Despatched 30

Received

General No. 33
No.

Enclosure No.

Submitting certain pro-
posals for the consi-
deration of Govt
when the Mines Regulati
is next taken up for
amendment.

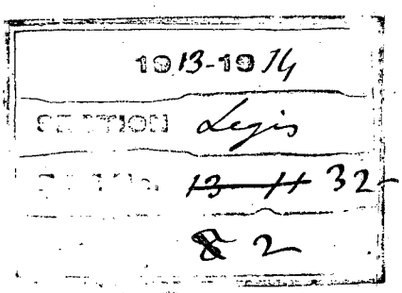
GPB—50,000—26-9-12

District Magistrate's office,

Kolar District,

Dated Kolar, the 30th July 1913.

DIARY No. 1376



From

P. F. B O W R I N G, Esquire.,

Offg. District Magistrate,

Kolar District.

To

K. R. SRINIVASIENGAR, Esquire., M.A.,

Secretary to the Government of His

Highness the Maharaja of Mysore,

General and Revenue Departments,

B a n g a l o r e.

Sir,

Adverting to para 3 of Government Proceedings No.J.2281-9/ Legis.15-12-2 dated 7th February 1913, observing that a separate reference may be made in the matter of making a provision in the Mines Regulation for trying summarily all cases of unlawful possession of Mining material under section 6 of the Regulation, when the value of the property does not exceed Rs.50/-, I have the honor to submit in consultation with Mr. H.J. Gifford the Chairman of the Committee of the Mining Board, the following modified proposals in supercession of para 5 of my letter No. 6427 dated 2nd April 1913* for the consideration of Government, when the Regulation is next taken up for amendment.

* not received in the Secretariat. Perhaps this is the letter sent to I.G.P. Mines.

2. Some provision may be made in the Regulation itself authorizing summary trials in all petty cases of unlawful ---- possession of Mining material including gold sand obtained from nallas, when the value of the property does not exceed Rs.50/-; but in cases of thefts of gold quartz, amalgam, sponge gold & bar gold, the cases may as before be tried regularly, as those cases are not easy of detection and although only a small amount may

be recovered at one time, it does not follow that systematic thieving of those properties has not being going on for some time.

I have the honor to be,

S i r,

Your most obedient servant,

Offg. District Magistrate,
Kolar District.

R.T.

13/8

G. R. S. 26]

calling for a copy of letter No 6427 dt 2/4/13 from the Dt Magistrate Kolar Dt

Legi. File 32-13 ~~13-14~~

Serial No. 93

Diary No. of letter replied to 4326

No. 9574

General and Revenue Secretariat

( )

, the *191* .

To

The Dt Magistrate

Kolar Dt

Adverting to para 1 of his letter No 33 dt 30th July 1913 submitting certain revised proposals for amending the Mysore Mines Regn has the honor to request him to be so good as to forward to this office for reference a copy of his letter No 6427 dt 2nd April 1913 containing

Date of issue 15/8/13

Signed by Dr A. P. Rajagopalachar

over.

SUBJECT.

27)
original proposals as the
same does not seem
to have been received
in this Office

By order

for Secretary to Govt.

Draft-
ch
11/8/13

List of enclosures,

Copied by 14/8

Examined by

GPB—25,000—8-8-11.

1913-14

From

The District Magistrate,

Kolar District.

To

The Secretary to the Government of H.H. the Maharaja of Mysore,
General & Revenue Departments
Bangalore.

Dated 23rd August 1913

Despatched

Received

General No. 71
No.

Enclosure No. 1

Submits copy of this office letter no 6427 dated 2nd April 1913, containing original proposals in connection with the amendment of the Inam Rules Regulation

GPB—50,000—26-9-12

Office of the District Magistrate,

Kolar District,

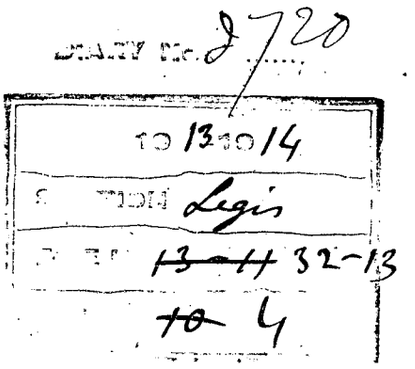
Dated Kolar, 23rd August 1913.

From

P. F. B O W R I N G, Esquire,

Offg. District Magistrate,

Kolar District.



To

K.R. SRINIVASIENGAR, Esquire, M.A.,

Secretary to the Government of His

Highness the Maharaja of Mysore,

General and Revenue Departments,

B a n g a l o r e.

Sir,

I have the honor to submit herewith a copy of my letter No.6427 dated 2nd April 1913, containing original proposals in connection with the amendment of the Mysore Mines Regulation, as called for in your docket No.J.574/Legis.13-11-9 dated 15th Instant.

I have the honor to be;

S i r,

Your most obedient servant,

Treasury assistant Commr
for Offg. District Magistrate, (absent from
BSV. Kolar District. station)

No. 6427

Office of the District Magistrate,
Kolar District,
Dated Kolar, 1st April 1 9 1 3.

(30

From

P. F. B o w r i n g, Esquire,
District Magistrate,
Kolar District.

Encl 6 Legs
32-13-4

To

C. Srikanteswara Aiyar, Esquire, B.A., B.L.,
Inspector-General of Police in Mysore,
B a n g a l o r e.

Sir,

With reference to Government Proceedings No.J.2281-9/Legis. 15-12-2 dated 7th February 1913, reviewing the report on the working of the Mysore Mines Regulation 1906, during the year 1911-12, I have the honor to state as follows:--

2. I note that the question of empowering the District Superintendent of Police, Kolar Gold Fields, to serve notices on all undesirables is engaging the attention of Government and hope that it will be decided before long.

3. As regards the observations contained in para 8 of the Government Proceedings under reference, I beg to invite your kind attention to this office letter No.1171 dated 29th July 1911, pointing out the necessity for the amendment of Section 17 of the Mysore Mines Regulation, so as to effectually keep out all bad characters from the Gold Fields. As it stands at present, the maximum --- punishment now imposed under Section 19 of the Regulation, viz, fine not exceeding Rs.100/- or imprisonment of either description for a term not exceeding three months, has no deterrent effect on these people, as can be clearly seen from the fact that several of them who had already been previously, convicted six or seven times for the same offence and had been awarded the maximum -----

punishment

are again brought up and again awarded the maximum punishment.

4. As I stated in para 3 (i) of my report for the year 1911-12, it is clear that the temptation which makes this class of persons disregard the penalties prescribed by the law, must be very strong in their minds, and I would therefore suggest that the maximum punishment under this section be raised from three months to one year's rigorous imprisonment.

5. Regarding the question of trying offences under Section 6 viz, unlawful possession of Mining Material, when the value of the subject matter does not exceed Rs.50/-, I have to state that section 13 lays down that certain offences are punishable with a fine exten-ing to ~~Rxxx500/-~~ Rs. 500/ or imprisonment of either description for a ~~xxxx~~ term which may extend to one year or both. Owing to the absence of any provision in the Regulation whereby summaray trials could be resorted to in respect to petty cases much of the valuable time of the Court of the Special Magistrate is now spent in trying regularly a large number of these petty cases concerning mining materials the value of which does not sometimes exceed 4 annas. The trying of such cases regularly when the value of the property is small besides involving a lot of time is not commensurate with the importance of the cases themselves.

6. It was with this view therefore that I suggested that some provision be made in the Regulation itself authorising summary trials in all petty cases involving property the value of which does not exceed Rs.50/- similar to the provisions contained in Section 260 of the Criminal Procedure Code in respect of certain offences under the Indian Penal Code and the CATTLE TRESPASS ACT.

7. If the above suggestions should commend themselves to you, I request that you may be so good as to move the Government to take

needful action in the matter when the Regulation is next taken up for amendment.

I have the honor to be,

S i r,

Your most obedient servant,

Sd. P. F. Bowring,

Offg. District Magistrate,

Kolar District.

"C o p y"

Treasury Assistant Commissioner,

For Offg. District Magistrate,

Bsd.

(Absent from station.)

Kolar District.

2 drafts Fair draft revised.

G. R. S. 26]

Requesting the I.G. of Police to obtain and forward a statement certain information in the matter of amending sections 17-19 of the Mysore Mines Regn, 1906, and for making certain petty offences under sec: 6 triable summarily.

File 32-13 ~~13-12~~

Serial No. 5

Diary No. of letter replied to—

No. 1158

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 6/10/13

Signed by

To

The I.G. of Police

in Mysore, Bangalore

Sir

With reference to correspondence ending with your letter No 5/12 dated 3rd July 1913 re your proposals to amend the Mysore Mines Regn, I am directed to request you to be so good as to obtain and forward for the information-

over.

SUBJECT.

35.)

ation of Govt. a statement showing the number of cases, filed during the last 5 years under sections 17 and 18 of the Mines Regn. and the number of cases in which the maximum penalty prescribed in sec. 19 was awarded and the number of persons convicted more than once

Omit this part

With regard to the question of summary trial of offences under section 6 of the Regn., Govt. note that the D.t Magistrate Kolar proposes in ~~the~~ his letter No 33 dated 30th. July 1913 that only petty cases of unlawful possession of mining material where the value of the property is less than Rs. 50 should be tried summarily and that cases of thefts of gold quartz, amalgam, sponge

List of enclosures,

Copied by

Examined by

GPB—25,000—8-8-11.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

gold and bar gold may be tried regularly as before. I am to request you to ascertain and report the number of cases ~~filed~~ of the former class filed on an average per year

I have &c.

for Secretary to Govt

Draw 8.19

GPB—10,000—22-2-11

2 drafts

G.R.S. 26]

File No. 32-13

Serial No. 1-2 6

Diary No. of letter replied to

No. 11-579

General and Revenue Secretariat

( )

, the 19 .

To

The Registrar, Chief Court

of Mysore, Bangalore

Date of issue 6/10/13

Signed by Mr S.P. Rajagopalachari

Sir

I am directed to forward herewith for your information a copy of the letter No 57/12 dated 3rd July 1913 from the Inspector General of Police in the matter of amending sections 6, 17, 18 and 19 of the Mysore Mines Regulation, 1904, and to request you to be so good as to obtain and

over.

SUBJECT.

and forward to Govt the

38) Opinion of the Judges of the Chief Court on the question of the desirability and necessity for prescribing a summary ~~trial~~ trial, as recommended by the I.G. of Police, in case of theft of mining material (not being gold quartz, amalgam, sponge gold or bar gold) where the value of the property is less than Rs 50/- ~~& &~~

~~Magistrate, Police &~~ ~~has suggested the desirability of amending~~ ~~the~~ I have &c.

~~Sd~~

~~for~~ Secretary to Govt.

List of enclosures,

Copied by

Examined by 6/15

GPB—20,000—12-8-10

No. 1771/147

Chief Court of Mysore,

Bangalore, dated the 29th October 1913.

31st

From

1365

The Registrar of the

Chief Court of Mysore.

1913-10 14

Legis

32-B

No. 137

To

The Secretary to the

Government of Mysore,

General and Revenue Departments.

S i r ,

With reference to your letter No: 1159/Legis: 13-12-12 dated the 6th instant, I am directed to state that the Chief Court consider it desirable to prescribe a summary trial in cases of theft of mining material (not being gold quartz, amalgam, sponge gold or bar gold) ~~when~~ where the value of the property is less than Rs 50. It is essential that these materials should be excluded, as in their case the value of the material is no criterion of the heinousness of the offence. The provision to try summarily will of course be exercised at the discretion of the trying Magistrate.

I have the honor to be,

S i r ,

Your most obedient servant,

Registrar

H.C.C.

REGISTRAR.

Office of the Inspector General of Police in Mysore,

No. 2651 & 1 / 283 Bangalore, dated the 12th January 1914.

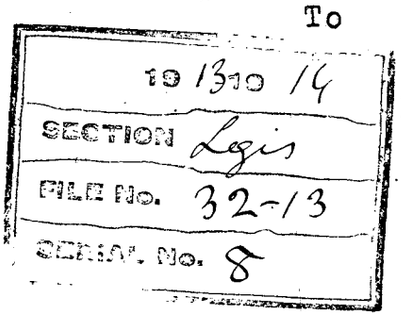
(44)

From

C. Srikantesvara Aiyar Esquire, B.A., B.L.,
Inspector General of Police in Mysore.

DIARY J2146

To



K.R. Sreenivasiengar Esquire, M.A.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

Adverting to your letter No.1158/Legis. 13-12-11 of the 6th October last, I have the honor to enclose copy of the statement, showing the number of cases filed during the past five years under Sections 17 and 18 of the Mines Regulation, received from the Deputy Commissioner, Kolar District.

I have the honor to be,
Sir,
Your most obedient servant,

Srikantaiyar

Inspector General of Police.

Statement showing the number of cases filed during the ast five years under Sections 17 and 18 of the Mines Regulation and the number of cases in which the maximum penalty prescribed in Section 19 was awarded and the number of persons convicted more than once.

Number of cases filed under Sections 17 and 18, Mysore Mines Regulation for the past five years.		Number of cases in which the Mamimum penalty prescribed in Section 19 was awarded..		Number of persons convicted more than once.		Remarks
Section 17, M.M.R.	Section 18, M.M.R.	Section 17, M.M.R.	Section 18, M.M.R.	Section 17, M.M.R.	Section 18, M.M.R.	
129	21	25		32		

Inspector General of Police.

3-12-8.